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 ATTORNEYS FOR NYLE MAXWELL OF TAYLOR, LLC

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 LOCAL COUNSEL FOR NYLE MAXWELL OF TAYLOR, LLC

**UNITED STATES BANKRUPTCY COURT
 NORTHERN DISTRICT OF TEXAS
 LUBBOCK DIVISION**

IN RE:	§	
REAGOR-DYKES MOTORS, LP,	§	Case No. 18-50214-rlj11
Debtor.	§	
IN RE:	§	
REAGOR-DYKES IMPORTS, LP,	§	Case No. 18-50215-rlj11
Debtor.	§	(Jointly Administered Under Case No. 18-50214)
IN RE:	§	
REAGOR-DYKES AMARILLO, LP,	§	Case No. 18-50216-rlj11
Debtor.	§	(Jointly Administered Under Case No. 18-50214)
IN RE:	§	
REAGOR-DYKES AUTO COMPANY, LP,	§	Case No. 18-50217-rlj11
Debtor.	§	(Jointly Administered Under Case No. 18-50214)
IN RE:	§	
REAGOR-DYKES PLAINVIEW, LP,	§	Case No. 18-50218-rlj11
Debtor.	§	(Jointly Administered Under Case No. 18-50214)
IN RE:	§	
REAGOR-DYKES FLOYDADA, LP,	§	Case No. 18-50219-rlj11
Debtor.	§	(Jointly Administered Under Case No. 18-50214)

**NOTICE OF RECLAMATION DEMAND OF NYLE MAXWELL OF TAYLOR, LLC
 PURSUANT TO 11 U.S.C. SECTION 546(c) AND
ADMINISTRATIVE CLAIM PURSUANT TO 11 U. S.C. SECTION 503(b)(9)**

Nyle Maxwell of Taylor, LLC (“Nyle Maxwell”), by its undersigned counsel, files the following Notice of Demand for Reclamation and respectfully represents as follows:

1. On or about August 1, 2018, (the “Petition Date”), Reagor-Dykes Motors, LP (the “Debtor”) and five (5) affiliated entities (collectively, the “Debtors”), filed voluntary petitions for relief under Chapter 11 of Title 11 of the United States Code.

2. Prior to the Petition Date, Nyle Maxwell sold goods in the ordinary course of business to the Debtors Reagor-Dykes Motors, LP d/b/a Prime Capital Auto Lease and Reagor-Dykes Imports, LP d/b/a Reagor-Dykes Mitsubishi, and the Debtors received these goods within forty-five (45) days of the Petition Date at a time when the Debtors were insolvent.

3. Nyle Maxwell hereby files this notice of its delivery of a written demand for reclamation pursuant to 11 U.S.C. Section 546(c) and Section 2-702 of the Uniform Commercial Code (the “Reclamation Demand”) on the Debtors and their attorney of record by email, certified mail - return receipt requested and first class mail, to reclaim certain goods detailed in this Reclamation Demand (hereinafter, the “Goods”), to-wit: the vehicles described on Exhibit A, attached hereto and made a part hereof (Exhibit A is a true and accurate copy of the Reclamation Demand served on the Debtors).

4. Nyle Maxwell is informed and believes, and on that basis alleges, that the Goods remain in the Debtors’ possession as of the date of this demand. The Goods are valued at \$513,717.88. Most of the vehicles appear to have been leased to customers without transferring title.

5. Pursuant to this Reclamation Demand, Nyle Maxwell hereby demands the immediate return of the Goods described above and/or payment of all sums due. Nyle Maxwell

asserts a right of possession and administrative claim against the Debtors' estates for the value of said Goods.

6. Notice is hereby specifically given to the Debtors to segregate said Goods from the Debtors' other inventory and fully account for any deficiency until such time that full payment for said Goods is tendered to Nyle Maxwell or, alternatively, until such time that a final, non-appealable order is entered allowing Nyle Maxwell a right of possession claim or an administrative expense claim under Section 503(b)(9) with respect to said Goods not paid for.

7. Nyle Maxwell further demands that the Debtors cease and desist using, disposing of, selling or transferring said Goods.

PLEASE TAKE FURTHER NOTICE that the filing of this Reclamation Demand is not intended to constitute an election of remedies or a waiver of any rights under Title 11 of the United States Code, the Uniform Commercial Code, or any other applicable law. Nyle Maxwell asserts title to and possession of the subject vehicles and expressly reserves any and all rights and remedies under applicable law, including but not limited to (i) the rights to seek setoff or recoupment; (ii) its right to be paid in the ordinary course of business as a post-petition creditor of the Debtors to the extent that the goods were delivered to the Debtors on or after the Petition Date; (iii) its right to be paid as a "critical vendor" pursuant to any order of the Court authorizing such payment; (iv) its right to assert a 20-day administrative priority claim pursuant to 11 U.S.C. Section 503(b)(9); (v) its right to assert a "new value" defense to any preference demand pursuant to 11 U.S.C. Section 547(c)(4); (vi) its right to demand payment as a "cure" payment in connection with the Debtors' assumption of an executory contract, if any, pursuant to 11 U.S.C. Section 365; and (vii) its right to seek payment of pre-petition debts from any non-debtor party that is a co-obligee or guarantor.

By filing this Reclamation Demand, Nyle Maxwell does not consent to the entry of final orders by the bankruptcy court on non-core issues, matters and claims, and does not waive any jurisdictional defenses.

PLEASE TAKE FURTHER NOTICE that Nyle Maxwell hereby asserts, pursuant to 11 U.S.C. Section 503(b)(9) an administrative claim for the Goods furnished to the Debtors within twenty (20) days of the Petition Date, which Goods are referenced in the attached Exhibit A and are valued cumulatively in the amount of \$513,717.88. Nyle Maxwell further requests that the Court order the immediate payment of such administrative claim.

Respectfully submitted,

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611 S. Congress Avenue, Suite 450
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(512) 476-0750/FAX (512) 476-0753
martinec@mwvmlaw.com

By:



Joseph D. Martinec
State Bar No. 13137500

ATTORNEYS FOR NYLE MAXWELL OF TAYLOR, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Notice of Reclamation Demand of Nyle Maxwell of Taylor, LLC Pursuant to 11 U.S.C. Section 546(c) and Administrative Claim Pursuant to 11 U.S.C Section 503(b)(9)* has been served via the Court's ECF Noticing System to the creditors and parties in interest receiving electronic notice, by First Class Mail, postage prepaid, or by facsimile transmission, if so indicated, to the creditors and parties in interest on the attachment, and to the following on the 20th day of August, 2018.

Reagor Dykes Auto Group
1215 Ave. J
Lubbock, TX 79401
(Via First Class Mail)

U.S. Trustee
1100 Commerce St., Room 9C60
Dallas, TX 75242
(Via ECF)

David R. Langston
Mullin Hoard & Brown, L.L.P.
P.O. Box 2585
Lubbock, TX 79408-2585
Attorneys for Debtors
(Via ECF)



Joseph D. Martinec

MARTINEC WINN & VICKERS P.C.

Attorneys At Law

Joseph D. Martinec
martinec@mwvmlaw.com
Edward L. Winn, III
edwinn@mwvmlaw.com

611 S. Congress Avenue, Suite 450
Austin, Texas 78704-1771
(512) 476-0750 telephone
(512) 476-0753 fax

Lee Vickers
lvickers@mwvmlaw.com

August 20, 2018

David Langston
Mullin, Hoard & Brown
P.O. Box 2585
Lubbock, TX 79408-2585
drl@mhba.com and First Class Mail

Reagor-Dykes Motors, LP
Reagor-Dykes Imports, LP
1215 Avenue J
Lubbock, TX 79401
Via CMRRR #7016207000002523929 and
First Class Mail

Re: Reagor-Dykes Motors, LP, Case No. No. 18-50214-rlj11 (Jointly Administered), United States Bankruptcy Court, Northern District of Texas, Lubbock Division

RECLAMATION DEMAND TO REAGOR-DYKES MOTORS, LP AND REAGOR-DYKES IMPORTS, LP

Gentlemen:

In accordance with Bankruptcy Code Section 546(c), Nyle Maxwell of Taylor, LLC, ("Creditor") hereby makes demand for reclamation of goods (the "Goods") received by Reagor-Dykes Motors, LP and Reagor-Dykes Imports, LP ("Debtors") from Creditor within the forty-five (45) days prior to the petition filing date in the Debtors' bankruptcy case at a time when Debtors were insolvent, and which Goods are currently in Debtors' possession. Attached hereto as Exhibit A is documentation describing or identifying the particular Goods for which Creditor asserts its reclamation claim. Creditor reserves the right to modify the scope of the Goods subject to its reclamation claim, following further investigation and subject to applicable law.

Please contact the undersigned for instructions concerning the return of the Goods to Creditor. You are further notified that all goods subject to Creditor's reclamation rights should be protected and segregated, and are not to be sold or used for any purpose whatsoever except by agreement of the parties or following notice and a hearing by the Bankruptcy Court.

We appreciate your cooperation in this matter. Please call with any questions.

Sincerely,



Joseph D. Martinec

Enclosure
cc: Client

Nyle Maxwell of Taylor, LLC

Detail of Outstanding Payments

LESSEE	VEHICLE	STK#	DRAFTING BANK	LESSOR	AMOUNT
Drafts Not Submitted					
DUSTY REID	2018 Dodge Durango 2WD 4dr Wgn GT (VIN 1C4RDHDG9JC316840)	JC316840	First Capital Bank of Texas	Prime Capital Auto Lease	\$ 33,230.59
GENEVIEVE DORN	2018 Jeep Grand Cherokee 2WD 4dr Wgn Limited (VIN 1C4RJEBG8JC392091)	JC392091	First Capital Bank of Texas	Prime Capital Auto Lease	\$ 30,955.25
ROGER VICK	2019 Ram 1500 4WD Crew Cab Lone Star/Bighorn (VIN 1C6SRFFT9KN586522)	KN586522	Vista Bank	Reagor Dykes Mitsubishi	\$ 41,708.95
SETH DOEGE	2018 Jeep Grand Cherokee 4WD 4dr Wgn Laredo (VIN 1C4RJFAG7JC440770)	JC440770	First Capital Bank of Texas	Prime Capital Auto Lease	\$ 33,690.07
DAKOTA GRIFFITH	2018 Ram 2500 4WD Crew Cab SLT (VIN 3C6UR5JLXJG290717)	JG290717	First Capital Bank of Texas	Prime Capital Auto Lease	\$ 53,981.20
WILLIAM WOODRING	2018 Jeep Grand Cherokee 4WD 4dr Wgn Trailhawk (VIN 1C4RJFLG5JC437590)	JC437590	First Capital Bank of Texas	Prime Capital Auto Lease	\$ 43,294.89
SHANE HARRIS	2018 Jeep Grand Cherokee 2WD 4dr Wgn Limited (VIN 1C4RJEBG7JC338958)	JC338958	First Capital Bank of Texas	Prime Capital Auto Lease	\$ 30,119.00
CHARLOTTE MOTLEY	2018 Jeep Grand Cherokee 2WD 4dr Wgn Limited (VIN 1C4RJEBG7JC359132)	JC359132	Vista Bank	Reagor-Dykes Mitsubishi	\$ 29,431.02
KYLAR ESCHENBACHER	2018 Ram 1500 (VIN 1C6RR7YT7JS135994)	JS135994	First Capital Bank of Texas	Prime Capital Auto Lease	\$ 39,494.69

Nyle Maxwell of Taylor, LLC

Detail of Outstanding Payments

DRAFTS DEPOSITED-Not paid by drafting bank					
TRAVIS BENSON	2018 Dodge Challenger 2dr Cpe R/T (2C3CDZBTXJH229140)	JH229140	First Capital Bank of Texas	Prime Capital Auto Lease	\$ 31,688.36
NORA DIAZ	2018 Chrysler 300 4dr Sdn Touring (VIN 2C3CCAAG8JH308427)	JH308427	Vista Bank	Reagor-Dykes Mitsubishi	\$ 24,291.94
MYKEE FLORES	2018 Dodge Charger SD (VIN 2C3CDXHG2JH273356)	JH273356	Vista Bank	Reagor-Dykes Mitsubishi	\$ 25,643.12
STEPHEN ROWDEN	2018 Jeep Wrangler 4dr Conv Unlimited Rubicon (VIN 1C4HJXFGXJW205790)	JW205790	Vista Bank	Reagor-Dykes Mitsubishi	\$ 54,388.80
Wholesales-Used Vehicle Purchased by Reagor Dykes Mitsibishi					
NAME	VEHICLE	STK#			
Reagor-Dykes Mitsubishi	2016 Ford F250 PU (VIN 1FT7W2B60GEB84685)	GEB84685	Vista Bank		\$ 26,800.00
Reagor-Dykes Mitsubishi	2015 Dodge Charger (VIN 2C3CDXHG1FH726406)	FH726406	Vista Bank		\$ 15,000.00
					\$ 513,717.88

Nyle Maxwell of Taylor, LLC
Reagor-Dykes Motors, LP, et al.,
Case No. 18-50214-rlj11 (Jointly
Administered) filed 8/1/2018

Roger Dale Vick
10108 #2 Evanston Ave.
Lubbock, TX 79424

Related Parties

Leaseholders for MLS

Dusty Reid
1605 N. San Andres
Hobbs, NM 88240

William K. Woodring
956 E. 36th St.
Tulsa, OK 74105

MUSA Auto Leasing
4455 Lyndon B. Johnson Fwy #1200
Dallas, TX 75244

Travis Benson
2817 Little Elm Trail
Cedar Park, TX 78613

Kylar Eschenbacher
4421 82nd St. #141
Lubbock, TX 79424

Prime Capital Auto Lease
1301 19th Street
Lubbock, TX 79401

Nora Lucille Diaz
2720 53rd St.
Lubbock, TX 79413

Mykee Flores
2406 40th St.
Lubbock, TX 79412-1538

Reagor-Dykes Mitsubishi
6540 82nd St.
Lubbock, TX 79424

Seth C. Doege
14940 Trails End Dr.
Perrysburg, OH 43551

U.S. Bank N.A.
1850 Osborn Ave
Oshkosh WI 54902

Genevieve M. Dorn
2311 92nd Street
Lubbock, TX 79423

Vista Bank
c/o Jason M. Rudd (Via ECF)

Dakota S. Griffith
200 Vikki Rd.
Big Spring, TX 79720

First Capital Bank of Texas
c/o John F. Massouh (Via ECF)

Shane D. Harris
393 CR 384
Childress, TX 79201

Charlotte Marie Motley
8701 151st St. B
Wolfforth, TX 79382

Stephen Wade Rowden
8304 CR 6940
Lubbock, TX 79407

**Nyle Maxwell of Taylor, LLC
Service List**

Reagor-Dykes Motors, LP, et al.,
Case No. 18-50214-rlj11 (Jointly
Administered) filed 8/1/2018

Reagor-Dykes Auto Group
1215 Ave. J
Lubbock, TX 79401
Debtors
(Via First Class Mail)

David R. Langston
Mullin Hoard & Brown, LLP
P.O. Box 2585
Lubbock, TX 79408-2585
Attorneys for Debtors (Via ECF)

U.S. Trustee
1100 Commerce St., Room 9C60
Dallas, TX 75242
(Via ECF)

**Reagor-Dykes Motors, LP
Top 20 Unsecured Creditors
(Via First Class Mail)**

AER Manufacturing
P.O. Box 974180
Dallas, TX 75397-4180

American Tire Distributors
Payment Processing Center
P. O. Box 889
Huntersville, NC 28070-0889

Bistro Battery
124 E. Slaton Road
Lubbock, TX 79452

Bumper Manufacturing
2500 Minis Drive
Haltom City, TX 76117

Concho Supply, Inc.
P. O. Box 3487
San Angelo, TX 76902

Descriptive Auto Design, LLP
P. O. Box 64366
Lubbock, TX 79464

Earl Owens Company, LLC
P. O. Box 111787
Carrollton, TX 75011

Fender Truck Accessories
P. O. Box 2576
Midland, TX 79702

Ford Motor Credit Co.
9009 Carothers Parkway
Franklin, TX 37067

Keystone Automotive Operations
P. O. Box 417450
Boston, MA 02241-7450

Lubbock Auto Spa
3305 81st Street
Lubbock, TX 79423

Meyer Distributing
560 East 25th Street
Jasper, IN 47546

Napa Auto Parts
310 N. 4th
Lamesa, TX 79331

O'Reilley Auto Parts
P. O. Box 9464
Springfield, MO 65801-9464

Reid Bethel Tire Co.
P. O. Box 29
Lamesa, TX 79331

Reynolds and Reynolds
P. O. Box 182206
Columbus, OH 43218-2206

Sam Pack's Five Star Ford
P. O. Box 910227
Dallas, TX 75391

Sewell Ford Inc.
P. O. Box 3432
Odessa, TX 79760

The Reinalt-Thomas Corporation
P. O. Box 29851
Phoenix, AZ 85038-9851

Valvaline LLC
3499 Blazer Parkway
Lexington, KY 40509

**Parties Requesting Notice
(Via ECF)**